

**VIA CERTIFIED MAIL -
RETURN RECEIPT REQUESTED**

David C. Keith
Anchor QEA, LLC
614 Magnolia Avenue
Ocean Springs, MS 39564

RE: Noncompliance with Time Critical Removal Action Work Plan Schedule
Administrative Settlement Agreement and Order on Consent for Removal Action,
CERCLA Docket No. 06-12-10
San Jacinto River Waste Pits Superfund Site near Pasadena, Harris County, Texas

Dear Mr. Keith:

By this letter, the **United States** Environmental Protection Agency (**EPA**) is notifying the Respondents of non-compliance with the Work Plan Schedule for the Administrative Settlement Agreement and Order on Consent for Removal Action (AOC), Docket No. 06-12-10. As of January 5, 2011, Respondents have ceased all work activities at the Site and are in non-compliance with the Work Plan Schedule. In accordance with Section XVIII, Paragraphs 76 and 79, of the AOC, stipulated penalties shall accrue for non-compliance starting on the day the violation occurs until work activities resume as documented by EPA.

The EPA would like to stress that your conduct constitutes a *violation of the AOC* and that International Paper Company, Inc. ~~☒~~ **and** McGinnes Industrial Maintenance Corporation must take *immediate actions* to ensure compliance with the terms of the AOC. The EPA is enclosing the January 5, 2011, EPA Site Inspection Memo outlining the removal activities that are not being performed in accordance with the schedule that resulted from Respondents cessation of removal activities at the Site. The EPA may determine that your failure to perform the required activities constitutes a continuing event of non-compliance and may subject Respondents to the assessment of penalties by EPA under the terms of the AOC.

I urge Respondents to resume TCRA implementation obligations in accordance with the TCRA Work Plan Schedule immediately. If you have any questions concerning this matter, please contact Valmichael Leos at 214-665-2283.

Sincerely yours,

Valmichael Leos
Remedial Project Manager

Enclosure

SANCHEZ	FAULTRY	NANN	PEYCKE	WERNER	JOHNSON
6SF-RA	6SF-R	6RC-S	6RC-S	6SF-TE	6SF-TE

STENGER
6SF-TE